

PROCEEDINGS/MINUTES OF CITY COUNCIL

...March 25, 2015...

Council convened at 2:10 p.m., Mayor John Cranley Presiding. Present were Councilmembers Flynn, Mann, Seelbach, Simpson, Smitherman, Winburn and Young.

Also in attendance were City Manager Harry Black, City Solicitor Paula Boggs Muething and Clerk of Council Melissa Autry.

Council observed a moment of silent prayer and recited the Pledge of Allegiance to the Flag.

There being no objection, Minutes of the previous session of Council were ordered Filed.

Items on the Council Calendar and items presented By-Leave were disposed of as follows:

Councilmembers Murray and Sittenfeld were excused.

MAYOR CRANLEY

Item #: 201500341

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Jeanne Golliher to the Woodward High School Board of Trustees.

Status/Recommendations:

CONFIRM

*** CONFIRMED

MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	A
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	A
MR. SMITHERMAN	Y
MR. WINBURN	Y

Item #: 201500343

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of David Bastos to the Cincinnati Arts Association.

Status/Recommendations:

CONFIRM

*** CONFIRMED

MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	A
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	A
MR. SMITHERMAN	Y
MR. WINBURN	Y

Item #: 201500350

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Councilmember Kevin Flynn to the Tax Incentive Review Council.

Status/Recommendations:

CONFIRM

*** CONFIRMED

MR. YOUNG	Y
MR. FLYNN	R
MR. MANN	Y
MS. MURRAY	A
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	A
MR. SMITHERMAN	Y
MR. WINBURN	Y

MAYOR CRANLEY

MR. MANN

MR. SEELBACH

MR. YOUNG

Item #: 201500376

MOTION, dated 3/25/2015 submitted by Mayor John Cranley, Vice Mayor Mann, Councilmembers Seelbach and Young, WE MOVE that SORTA be directed to pursue only management contract proposals in response to their RFP, consistent with the draft MOU between ATU and SORTA (copy attached), for review and consent through the Streetcar budget approval process set forth in the Operations and Maintenance Intergovernmental Agreement.

Status/Recommendations:

TRANSPORTATION & REGIONAL COOPERATION COMMITTEE

MAYOR CRANLEY

MS. MURRAY

MR. FLYNN

Item #: 201500377

MOTION, dated 3/24/2015 submitted by Mayor John Cranley, Councilmembers Amy Murray and Kevin Flynn, EXPRESSING the Mayor's intent to veto, and sufficient City Council support to sustain such veto, any streetcar operating plan that utilizes sources other than those identified in the Comprehensive Streetcar Operating Plan (Council item #201401368) and particularly any plan that uses General Fund resources other than the \$1,500,000 in incremental parking meter revenue pledged by the Comprehensive Streetcar Operating Plan. BE IT RESOLVED by the Mayor and Council of the City of Cincinnati, State of Ohio: No additional resources will be appropriated toward the Operations and Maintenance of the Cincinnati Streetcar Project beyond the previously established Plan.

Status/Recommendations:

TRANSPORTATION & REGIONAL COOPERATION COMMITTEE

MR. MANN

Item #: 201500369

COMMUNICATION, dated 3/19/2015 submitted by Vice Mayor David Mann, from Anzora Adkins, President, Evanston Community Council, regarding Neighborhood Support Funds for Evanston.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201500370

COMMUNICATION, dated 3/14/2015 submitted by Vice Mayor David Mann, from Jack Degano, Ph.D., President, Lower Price Hill Community Council, regarding NSP funds for Lower Price Hill.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

MS. MURRAY

Item #: 201500367

MOTION, dated 3/24/2015 submitted by Councilmember Amy Murray, that Administration prepare a report regarding the steps needed to incorporate the city's spending data into OHIO'S ONLINE CHECKBOOK. The data shall initially include all expenditures for 2008 to 2014 and on an annual basis going forward. (STATEMENT ATTACHED)

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

MR. SEELBACH

Item #: 201500368

RESOLUTION, dated 3/23/2015 submitted by Councilmember Chris Seelbach, EXPRESSING the support of the Mayor and Council for marriage equality in Ohio and their appreciation for the dedicated work of Why Marriage Matters Ohio on behalf of the LGBT community in Cincinnati and the State of Ohio.

Status/Recommendations:

PASS

*** PASSED 0023-2015

MR. YOUNG Y

MR. FLYNN Y

MR. MANN Y

MS. MURRAY	A
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	A
MR. SMITHERMAN	Y
MR. WINBURN	N

MR. SMITHERMAN

Item #: 201500375

RESOLUTION, submitted by Paula Boggs, Muething, City Solicitor to Councilmember Smitherman on 3/24/2015, REQUESTING the Major League Baseball Commissioner Rob Manfred reinstate Pete Rose into Major League Baseball.

Status/Recommendations:

ECONOMIC GROWTH & INFRASTRUCTURE COMMITTEE

MR. SMITHERMAN
MR. WINBURN

Item #: 201500378

STATEMENT, submitted by Councilmembers Smitherman and Winburn, WE the undersigned will vote to support any veto that will prevent spending any City monies on the Cincinnati Streetcar.

Status/Recommendations:

TRANSPORTATION & REGIONAL COOPERATION COMMITTEE

CITY MANAGER

Item #: 201500354

ORDINANCE submitted by Harry Black, City Manager, on 3/25/2015, authorizing the City Manager to enter into an agreement to cooperate with Hamilton County to complete the rehabilitation of Covedale Road from Foley Road to Rapid Run Road;

AUTHORIZING the City Manager to accept and appropriate up to \$75,000 from Hamilton County to capital improvement program project account no. 980x233x152308 "Street Rehabilitation" for the purpose of providing reimbursement for the expenses the City of Cincinnati incurs in rehabilitating Hamilton County's portion of Covedale Road.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201500361

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 3/25/2015, authorizing a subordinate pledge of and lien on certain non-tax revenues and

funds of the City to secure HUD Section 108 Loan funding in an amount not to exceed \$7,000,000 for the purpose of financing a portion of costs of the relocation of the Drop Inn Center.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201500365

ORDINANCE submitted by Harry Black, City Manager, on 3/25/2015, modifying the provision of Title XII, "Cincinnati Fire Prevention Code," of the Cincinnati Municipal Code by amending Section 1235-17, "Fire Department Communications Systems," to update the requirements for communications systems in tall buildings and therefore the Cincinnati Fire Department's ability to efficiently and safely respond to emergencies in such buildings.

Status/Recommendations:

LAW & PUBLIC SAFETY COMMITTEE

Item #: 201500344

REPORT, dated 3/25/2015, submitted by Harry Black, City Manager, regarding Streetcar - January 2015 Monthly Report.

Status/Recommendations:

TRANSPORTATION & REGIONAL COOPERATION COMMITTEE

CLERK OF COUNCIL

Item #: 201500371

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Charles C. Graves, Planning Director.

Status/Recommendations:

FILE

*** FILED

Item #: 201500372

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Chad F. Kenney, Jr., Office of Performance & Data Analytics; Chief Performance Officer.

Status/Recommendations:

FILE

*** FILED

BUDGET AND FINANCE COMMITTEE

Item #: 201500327

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 3/16/2015, authorizing the implementation of the wage reopener identified in the current agreement dated March 4, 2012 through March 14, 2015 between the City of Cincinnati and AFSCME Ohio Council 8 and Local 250, AFSCME Municipal Workers (hereinafter "AFSCME MWs"); and further AUTHORIZING the City Manager to execute the terms of negotiated wage reopener, which is attached hereto and by reference made a part hereof.

Status/Recommendations:

PASS EMERGENCY

*** PASSED EMERGENCY 0074-2015

MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	A
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	A
MR. SMITHERMAN	Y
MR. WINBURN	Y

NEIGHBORHOODS COMMITTEE

Item #: 201500332

ORDINANCE submitted by Harry Black, City Manager, on 3/18/2015, designating a portion of the area in the Over-the-Rhine neighborhood bounded by the east side of Central Parkway, the east side of Sycamore, the north side of Central Parkway and the south side of Liberty Street as a special parking permit area restricting parking to certain vehicles notwithstanding Cincinnati Municipal Code Chapter 514 and creating a pilot project to run through 2017.

Status/Recommendations:

PASS

*** FAILED OF ADOPTION

MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	A
MR. SEELBACH	N
MS. SIMPSON	Y
MR. SITTENFELD	A
MR. SMITHERMAN	N
MR. WINBURN	N

Item #: 201500356

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 3/23/2015, modifying the provisions of Chapter 731, "Weed Control," of Title VII, "General Regulations," of the Cincinnati Municipal Code by ordaining new Sections 731-1-A, "Abandoned Property," 731-1-A1, "Abatement," 731-1-I, "Initial Violation," 731-1-P, "Person in Control," 731-1-S, "Subsequent Violation," 731-10, "Abatement by City's Authorized Designee," 731-13, "Rules and Regulations"; AMENDING Sections 731-1-A, "Turf Grass," 731-1-B, "Weeds," 731-1-C, "Managed Natural Landscaped Area," 731-3, "Height Restrictions," 731-5,

"Notice to Owners and Persons in Control," 731-6, "Answer to Notice to Owner and Persons in Control," 731-7, "Receipt of Notice by the Person Charged," 731-9, "Destruction by Public Officers," 731-11, "Cost as Lien on the Land and Personal Judgment Against Owners and Persons in Control," 731-99, "Penalties," 731-99-A, "Waiver and Written Pleas"; and further MODIFYING the provisions of Chapter 714, "Litter," of Title VII, "General Regulations," of the Cincinnati Municipal Code by ordaining new Sections 714-1-A, "Abandoned property," 714-1-A1, "Abatement," 714-1-I, "Initial Violation," 714-1-S, "Subsequent Violation," 714-40, "Potential Waiver or Suspension of Fines for Property Susceptible to Littering by Third Parties," 714-46, "Abatement by City's Authorized Designee," 714-48, "Rules and Regulations"; AMENDING Sections 714-1-P4, "Person in Control," 714-35, "Litter on Occupied Private Property," 714-37, "Owner to Maintain Premises Free of Litter," 714-41, "Notice to Owners and Persons in Control," 714-42, "Answer to Notice to Owner and Persons in Control," 714-45, "Removal by Public Officers," 714-47, "Costs as Lien on the Land and Personal Judgment Against Owners and Persons in Control," 714-99, "Penalties"; and further MODIFYING the provisions of Title XV, "Code Compliance And Hearings," of the Cincinnati Municipal Code by amending Sections 1501-6, "Class B1 Civil Offenses," 1501-8, "Class C1 Civil Offenses," 1501-13, "Notice of Civil Offense and Civil Fine; Procedures," and 1501-99, "Civil Fines"; to amend the procedures for abatement of weeds, high grass and litter on private lots by the Department of Public Services, Neighborhood Operation Division, and its authorized designees.

Status/Recommendations:

PASS EMERGENCY

*** PASSED EMERGENCY 0075-2015

MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	A
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	A
MR. SMITHERMAN	Y
MR. WINBURN	Y

Item #: 201500358

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 3/23/2015, establishing Interim Development Control Overlay District No. 76, West Menlo Avenue District, in the Hyde Park neighborhood as an overlay district for a period of three months, pursuant to Chapter 1431, Interim Development Control Overlay District Regulations, of the Cincinnati Zoning Code.

Status/Recommendations:

PASS EMERGENCY

*** 2ND READING

Item #: 201500360

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 3/23/2015, authorizing the City Manager to execute a Lease and Development Agreement with 1737 Vine LLC, for the lease, for a term of 39 years (at rent of \$1.00/year, with an option to purchase for \$15,000), of City-owned property located at 1737 Vine Street in Over-the-Rhine, to enable the developer to redevelop the property into residential apartments and commercial space.

Status/Recommendations:

PASS EMERGENCY
*** PASSED EMERGENCY 0076-2015
MR. YOUNG Y
MR. FLYNN Y
MR. MANN Y
MS. MURRAY A
MR. SEELBACH Y
MS. SIMPSON Y
MR. SITTENFELD A
MR. SMITHERMAN Y
MR. WINBURN Y

Item #: 201500364

ORDINANCE, (EMERGENCY) submitted by Paula Boggs Muething, City Solicitor, from Councilmember Flynn and Mayor John Cranley, on 03/20/2015, DECLARING that the 3000 block of Colerain Avenue in Camp Washington shall hereby receive the honorary, secondary name of "Johnny Johnson Way," by legislative action of the Mayor and the City Council in honor of the owner of Camp Washington Chili, Mr. John Johnson, in recognition of his ongoing contributions to the Camp Washington neighborhood and the City of Cincinnati by his continuation and stewardship of the legacy of Camp Washington Chili, a local landmark and culinary institution in the City of Cincinnati since 1940.

Status/Recommendations:

PASS EMERGENCY
*** PASSED EMERGENCY 0077-2015
MR. YOUNG Y
MR. FLYNN Y
MR. MANN Y
MS. MURRAY A
MR. SEELBACH Y
MS. SIMPSON Y
MR. SITTENFELD A
MR. SMITHERMAN Y
MR. WINBURN Y

Item #: 201500352

RESOLUTION, submitted by Paula Boggs Muething, City Solicitor from Councilmember P. G. Sittenfeld, on 3/18/2015, SUPPORTING Grandin Company LTD in its efforts to receive Ohio Historic Preservation Tax Credits for the rehabilitation of the Strietmann Bakery Building, located at 221-235 West Twelfth Street in Over-the-Rhine, which is a priority initiative for future development in the community and is consistent with the Over-the-Rhine, and downtown Cincinnati strategic plans and Plan Cincinnati and is in line with the commitment of the City of Cincinnati and Grandin Company LTD, doing business as Grandin Properties, to revitalize Over-the-Rhine.

Status/Recommendations:

PASS
*** PASSED 0024-2015
MR. YOUNG Y
MR. FLYNN Y
MR. MANN Y
MS. MURRAY A
MR. SEELBACH Y
MS. SIMPSON Y

MR. SITTENFELD	A
MR. SMITHERMAN	Y
MR. WINBURN	Y

Item #: 201500353

RESOLUTION, submitted by Paula Boggs Muething, City Solicitor from Councilmember P. G. Sittenfeld, on 3/18/2015, SUPPORTING Grandin Company LTD in its efforts to receive Ohio Historic Preservation Tax Credits for the rehabilitation of the Warner Brothers Building located at 1600 Central Parkway in Over-the-Rhine, which is a priority initiative for future development in the community, is consistent with the Over-the-Rhine and downtown Cincinnati strategic plans and Plan Cincinnati, and is in line with the commitment of the City of Cincinnati and Grandin Company LTD, doing business as Grandin Properties, to revitalize Over-the-Rhine.

Status/Recommendations:

PASS

*** PASSED 0025-2015

MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	A
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	A
MR. SMITHERMAN	Y
MR. WINBURN	Y